

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WISCONSIN SHEET METAL WORKERS
HEALTH AND BENEFIT FUND and
PATRICK LANDGRAF (in his capacity
as Trustee),

Plaintiffs,

v.

KEIL PLUMBING & HEATING, LLC.,

Defendant.

ORDER

13-cv-13-bbc

Motion for default judgment brought by plaintiffs in this case was submitted to the court and filed with the clerk. This action having come on for a hearing before the court on May 1, 2013, the issues having been duly heard and a decision having been duly rendered, the court orders as follows:

1. Defendant Keil Plumbing & Heating, LLC has failed to plead or otherwise defend as provided by Rule 55(a) of Fed. R. Civ. P.
2. Defendant Keil Plumbing & Heating, LLC violated the Labor-Management Relations Act of 1947, as amended, as well as the Employee Retirement Income Security Act of 1974, as amended, and the effective collective bargaining agreements by failing to pay fringe benefit contributions on behalf of its employees to the plaintiff fund and by failing to submit to an audit of the company's books and records by the plaintiff

fund's designated representative covering the period of December 15, 2011 to the present date.

Plaintiff fund must conduct an audit of defendant's payroll records to liquidate its claims and proceed to judgment.

IT IS HEREBY ORDERED:


1. Defendant Keil Plumbing and Heating, LLC shall submit within ten (10) days of the date of this order to an audit of the company's books and records by the plaintiff fund's designated representative covering the period December 15, 2011 to the present date; and
2. The results of said audit shall be submitted to the court within ten (10) days of the completion of the audit, and the clerk of court shall amend the judgment in favor of the plaintiff fund to include all contributions, interest and liquidated damages due the plaintiff fund as reported by the auditor, along with plaintiffs' costs and attorney fees.
3. The court will keep the matter open for thirty days; at that time the case will be closed administratively subject to reopening by either side for good cause shown.

Dated at Madison, Wisconsin this 3d day of May, 2013.


Clerk of Court

Dated and approved as to form this 1st day of May, 2013.

BY THE COURT:

A handwritten signature in cursive script, reading "Barbara B. Crabb", is written over a horizontal line.

BARBARA B. CRABB

District Judge